

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**SPERRY ASSOCIATES FEDERAL
CREDIT UNION,**

Plaintiff,

V.

CUMIS INSURANCE SOCIETY, INC.

Defendant,

Civil Action No. 10-0029(DRD)

ORDER ON INFORMAL APPLICATION

This matter having come before the Court by way of letters dated September 14, 2012, regarding the plaintiff's request for court-intervention concerning the timing and completeness of the production of documents required pursuant to the August 17, 2012 Order;

and the Court being advised that the application was withdrawn based upon the representation that certain union settlement agreements that CUMIS believed had already been produced had not been produced;

and this representation having caused plaintiff to withdraw its request for court-intervention;

and the parties having conducted a deposition on September 14, 2012 regarding the reasonableness of the settlements and thus it appears the timing of the production did not impact their ability to probe the topic as permitted by the August 17, 2012 Order;

and the parties being reminded that requests for court-intervention concerning discovery (other than disputes that arise during depositions) or case management issues must be preceded by a telephone or in-person conversation between the parties to resolve the issues, see

L. Civ. R. 16.1 and 37.1;

and if such good faith efforts do not resolve the dispute, then the parties shall present the dispute in accordance with the joint letter protocol;

and the parties being hereby notified that if a party does not participate in providing its portion of such a joint letter, then that party will be deemed not to oppose the requested relief;

IT IS ON THIS 14th day of September, 2012

ORDERED that plaintiff's September 14, 2012 request for court-intervention is deemed withdrawn.

s/Patty Shwartz
United States Magistrate Judge